

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

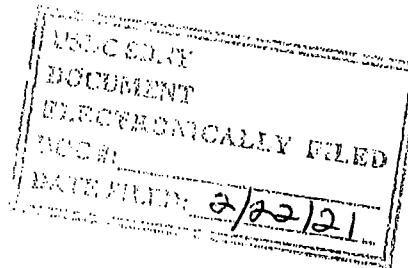
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JOSEPH LEE,

Plaintiff,

v.

YELENA KOROBKOVA, JUDITH CAMARA,
EVE M. SIMMONS, ARIEL ESCOBAR,
DIANE HINTON, GANDHAM, JOHN DOE,
and WILLIAM F. KEYSER,
Defendants.

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AMENDED ORDER OF
SERVICE

20 CV 10311 (VB)

Plaintiff, proceeding pro se and in forma pauperis, brings claims under 42 U.S.C. § 1983 for violations of his constitutional rights.

On December 21, 2020, the Court issued an Order of Service ordering the Office of the New York State Attorney General (“NYAG”) to ascertain the identity and address of the John Doe emergency room doctor who was responsible for treating plaintiff on April 29, 2019, at Albany Medical Center. (Doc. #6). The Court ordered that within thirty days of receiving this information, plaintiff must file an amended complaint naming the John Doe defendant. (*Id.*).

On February 22, 2021, the NYAG provided the name and address of the John Doe emergency room doctor. (Doc. #18).

The Court will direct the Clerk to replace defendant “John Doe” on the docket with “Alex Trolenberg, M.D.” Accordingly, it is HEREBY ORDERED, plaintiff shall not file an amended complaint.

In addition, to allow plaintiff to effect service on defendant Trolenberg through the U.S. Marshals Service, the Clerk of Court is instructed to fill out a U.S. Marshals Service Process Receipt and Return form (“USM-285 form”) for defendant Trolenberg. The Clerk of Court is further instructed to issue a summons listing defendant Trolenberg and deliver to the Marshals

Service all of the paperwork necessary for the Marshals Service to effect service upon defendant Trolenberg. The service addresses for this defendant is appended to this Order.

It is plaintiff's responsibility to ensure that service is made within 90 days of the date the summons is issued and, if necessary, to request an extension of time for service. See Meilleur v. Strong, 682 F.3d 56, 63 (2d Cir. 2012).

Plaintiff also must notify the Court in writing if plaintiff's address changes, and the Court may dismiss the action if he fails to do so.

CONCLUSION

The Clerk is directed to terminate "John Doe" as a defendant from the docket and to add to the docket defendant Alex Trolenberg, M.D.

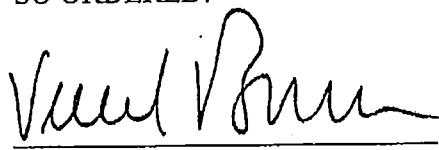
The Court directs the Clerk of Court to complete the USM-285 form with the address for the listed defendant and deliver all documents necessary to effect service on defendant Trolenberg to the U.S. Marshals Service.

Chambers will mail a copy of this Order to plaintiff at the address on the docket.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith, and therefore in forma pauperis status is denied for the purpose of an appeal. Cf. Coppedge v. United States, 369 U.S. 438, 444-45 (1962).

Dated: February 22, 2021
White Plains, NY

SO ORDERED:



Vincent L. Briccetti
United States District Judge

APPENDIX

1) Alex Trolenberg, M.D.
Albany Medical Center
43 New Scotland Avenue
Albany, NY 12208